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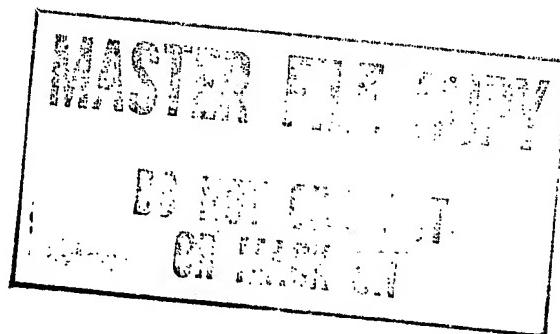
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West Germany: Drugs and Government Policy

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A Research Paper

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EUR 84-10246
December 1984

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West Germany: Drugs and Government Policy

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A Research Paper

This paper was prepared by [redacted] with
technical support from [redacted] Office of
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**West Germany:
Drugs and Government Policy**

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Summary

*Information available
as of 1 December 1984
was used in this report.*

Over the past decade drug abuse and trafficking in West Germany have taken on increasingly worrisome dimensions. The government recognizes the seriousness of the narcotics threat and, more so than any other West European country, has developed a broad strategy for combating it at home and abroad. While it has taken decisive steps and gained public backing for still tougher control measures, its battle against drugs is far from being over.

Hashish and marijuana abuse is most pronounced—particularly among the young—but West Germany also has a sizable heroin addict population. Police officials fear that the rapid increase in cocaine smuggling in Europe may present an even greater threat than heroin. The narcotics trade in West Germany is controlled by international drug trafficking rings. However, there does not appear to be a link to West German terrorist organizations.

Government measures against drug abuse and trafficking include an extensively revised narcotics law that has resulted in somewhat harsher punishment of drug offenders and even stricter regulation of narcotic substances. The law also gives the Federal Government the authority to control exports and imports of narcotics as well as drug shipments transiting West Germany, including free ports. This latter provision has enabled authorities to cut down on drug shipments reaching the United States via the free port of Hamburg.

Although public opinion polls suggest that the government's drug education campaign has made West Germans more aware of the perils of drug abuse, efforts to cure those who are already addicted to drugs have had only limited success. Official estimates suggest that approximately half of those entering long-term therapeutic programs relapse. The new narcotics law's "jail or therapy" provision has raised concern among many therapists that compulsory treatment may result in even fewer therapy successes.

West Germany's narcotics suppression strategy has placed heavy emphasis on international cooperation. Thus Bonn has tried to strengthen police capabilities in key producer and transit countries through equipment and training assistance. It also has given economic development aid to major opium producers—through the UN Fund for Drug Abuse Control and directly—to promote alternative sources of income. In the past, West Germany did not specifically link its economic assistance to the recipient countries' narcotics enforcement efforts, but, [redacted] it may revise its policy because of the aid program's poor results.

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The Federal Republic has been a strong ally in the United States' war against international drug trafficking. US Drug Enforcement Administration (DEA) officials have developed a close working relationship with the West German Federal Criminal Police (BKA), involving exchange of information, coordination of undercover actions, and joint efforts to gain greater control of precursor chemicals. The Central Working Group, established in 1978 by the West German-US Narcotics Control Agreement, has been an important forum for exchanging data and experiences in the fields of epidemiology and treatment and for developing programs to reduce the narcotics threat to US military personnel.

To enhance domestic and international narcotics control—a goal for which there is broad public support—the West German Minister of the Interior over the next few years plans further increases in narcotics enforcement resources and stronger contacts between West German police offices and their counterparts in West European and producer countries. He will also continue to press for legislation increasing West German police authority to seize drug trafficking assets, but he may face some opposition from the Free Democrats who are trying to refurbish their liberal image. The Social Democratic Party and the Greens also may use the issue to accuse the government of disregard for civil liberties. We believe, however, that assets seizure legislation will be passed eventually, particularly if the Christian Democrats remain in government and if the saliency of the assets seizure issue in international narcotics control forums increases.

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West Germany: Drugs and Government Policy

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Introduction

West Germany, like many other West European countries, has a serious drug problem. To curb illicit narcotics demand and supply, the Federal Government—in consultation with the *Laender* governments—has developed a consistent and comprehensive action program in the areas of law enforcement, education and prevention, therapy, international cooperation, and research. In 1981, the Bundestag passed a new narcotics law providing, among other things, for harsher punishment of drug traffickers than had previously been permitted. The major political parties agree on the seriousness of the narcotics threat and the need to control it, but the Greens and the left wing of the Free Democratic Party (FDP) advocate the decriminalization of all types of drugs, particularly cannabis.¹

Despite considerable narcotics control efforts, illicit drug consumption and trafficking remain high. Amsterdam has become a supply center for many West German drug users and dealers as a result of the Netherlands' relatively liberal narcotics policy and inadequate law enforcement. Also, organized drug rings have shown great ingenuity in finding new trafficking routes and means of transport. Moreover, according to West German officials, international programs to develop alternative sources of income in narcotics-producing countries have had little success. Finally, West Germany, unlike the United States and some West European countries, still lacks effective legal means for seizing the financial assets of drug traffickers.

The Narcotics Threat

The narcotics problem in West Germany has not yet reached the scale of that in the United States, but it is rapidly catching up. Although there are no exact data for the development of drug abuse in the past decade, statistics published annually by the Federal Criminal Police (BKA) showing the number of narcotics violations permit a rough assessment of trends. According to the BKA, cannabis abuse has increased steadily

since the mid-1970s. Heroin consumption, which had grown at a disconcerting rate until 1980, has declined slightly—possibly as a result of greater public awareness of its health risk—but cocaine abuse shows a strong upward tendency. The number of heroin addicts is estimated at 50,000—approximately one-tenth of that in the United States—in an overall population of 62 million. The rate of deaths resulting from drug overdose, which had fallen after a peak in 1979, is beginning to rise again because of the higher purity of the heroin now being sold in West Germany. Drug dealing and smuggling offenses, as well as crimes to obtain illicit narcotics such as pharmacy burglaries, prescription forgeries, and prostitution, also have taken on disturbing proportions (figures 1 and 2).

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Abuse Among the Young. To discover the scope and nature of drug abuse among the young, the governments of the *Laender*, with financial contributions from the Federal Ministry for Youth, Family, and Health, in 1981 carried out a national survey of nearly 12,000 young people ranging in age from 12 to 24. The survey showed that:

- 9.7 percent of the respondents had taken drugs at least once. Four percent were current users; that is, they had taken drugs within the six months preceding the survey. Six percent fell into the category of "experimenters" while 1 percent belonged to the group of "heavy users."
- Among those having taken drugs, cannabis was the preferred substance. Eighty percent had used hashish while 40 percent had smoked marijuana. Seventeen percent had taken amphetamines; 11 percent, LSD; and 8 percent, opiates, including codeine.
- Most drug users received their first drugs from friends. Only 3 percent indicated that they had gotten them directly from a dealer.

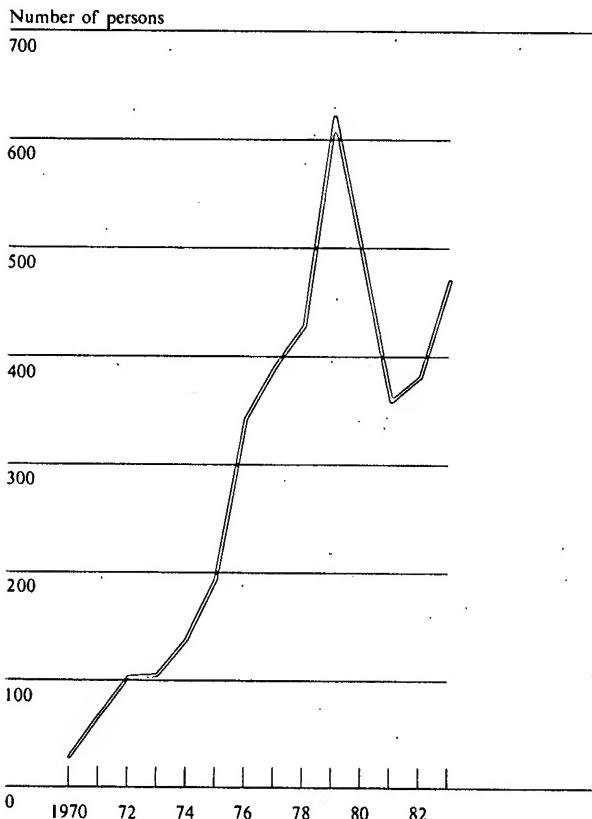
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¹ The cannabis plant is the source of marijuana and hashish.

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Figure 1
**West Germany: Deaths From Drug Abuse,
 1970-83**

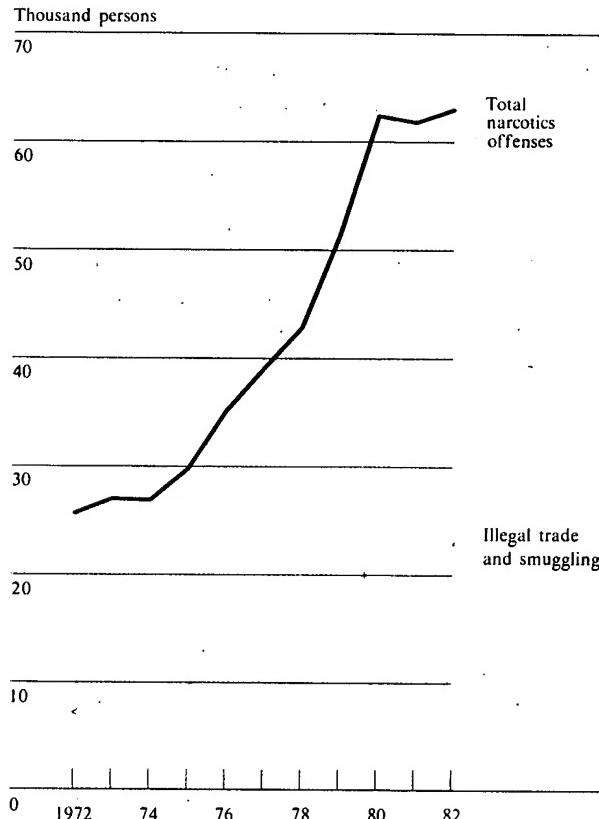


Source: 1982 Annual Narcotics Report
 published by the BKA.

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- Drug abuse was significantly higher among male respondents than among female ones. Moreover, it was concentrated in the group of 18- to 24-year-olds. Only 1 percent of the respondents between the ages of 12 and 14 had taken drugs.
- Drug abuse was more prevalent among upper- and upper-middle-class youths, vocational school students, and the unemployed.
- There was a strong correlation between drug abuse and a "broken home" situation (tables 1, 2, and 3).

Figure 2
**West Germany: Trends in Narcotics Offenses,
 1972-82**



Source: 1982 Annual Narcotics Report
 published by the BKA.

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Trafficking. BKA statistics show that drug dealing and smuggling offenses have more than tripled since 1972. Narcotics seizures in the FRG also are important indicators of the growing scope of drug trafficking. In 1983, approximately 260 kilograms of heroin were seized, compared with 31 kg in 1975. The current cocaine wave may become an even greater threat than heroin. Cocaine seizure statistics indicate a dramatic increase from 29 kg in 1982 to 106 kg in

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Table 1
West Germany: Drug Users^a

Percent

	Drug Users	Current Drug Users
Sample (11,711 persons)^b	9.7	3.6
Sex		
Male	11	4
Female	8	3
Age (years)		
12-14	1	0.5
15-17	7	3
18-20	14	6
21-24	16	4.5
Social background		
Lower class	10	3.5
Lower middle class	9	3
Middle class	8	3
Upper middle class	12	4
Upper class	13	5.5
Education/profession		
Elementary school	3	1
High school (technical field)	6	3
High school (humanities field)	9	4
University	11	5
Vocational training	14	4.5
Blue-collar worker	14	4.5
White-collar worker	11	3
Unemployed	26	9
Community size (number of inhabitants)		
Under 2,000	7	3
2,000-4,999	6	2.5
5,000-19,999	9	3
20,000-99,999	9	3.5
100,000-499,999	11	4
500,000-1,499,999	15	5
1,500,000 or more	20	8

^a Excluding Bremen, Hesse, and West Berlin.^b Data are arranged by demographic categories; for example, 11 percent of all males in the sample have used drugs at one time or another, but only 4 percent are current users.Source: 1981 survey on drug abuse among the young sponsored by the Federal Government and eight *Laender*.

Table 2
West Germany: Source of Illicit Drugs at First Consumption^a

Percent^b
(except where noted)

	Total ^c	Experi- menters	Occasional Users	Heavy Users
Sample (number of persons)	1,000	593	261	109
Friend(s)	38	35	45	47
Clique/group	26	27	28	27
Acquaintance(s)	25	26	27	22
Spouse/sexual partner	5	6	3	4
Sibling	4	3	3	7
Dealer	3	1	5	8
Home medicine cabinet	3	2	2	5
Prescription	1	1	2	2
Other manner	3	3	3	3
No answer	5	3		

^a Excluding West Berlin, Bremen, Hesse, Baden-Wuerttemberg.^b Columns do not add up to 100 percent because respondents were allowed multiple responses.^c No opinion was given by 37 persons.Source: 1981 survey on drug abuse among the young sponsored by the Federal Government and eight *Laender*.

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1983. We believe these figures reflect not only greater detection efforts by the police but—primarily—vastly increased availability of narcotics.

cocaine abuse may reach epidemic proportions comparable to those for heroin abuse in the late 1970s (table 4).

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Most of the illicit heroin in the FRG comes from the Middle East and Southwest Asia, primarily Pakistan. Southeast Asia is a minor heroin supplier, but over the past two years its importance has increased. Cocaine is entering the FRG from Latin America, and cannabis from the Middle East, Morocco, Ghana, and Nigeria. much of the

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Table 3
West Germany:
Relationship Between
Drug Abuse and Broken Home Situation^a

	Total	Current Users	Heavy Users
Sample (number of persons)	11,711	423	117
Broken home in childhood (percent)	10	15	18
Broken home at time of survey (percent)	15	25	30

^a Excluding West Berlin, Bremen, and Hesse.

Source: 1981 survey on drug abuse among the young sponsored by the Federal Government and eight *Laender*.

Although there is evidence that some Middle Eastern and South American terrorist organizations are involved in drug trafficking, there is no information linking West German terrorists to the narcotics trade. It is possible, however, that West German terrorists and organized drug rings provide occasional support services for each other. There is also no indication that drug traffickers use West Germany as a "money-laundering" center. They prefer locations where bank secrecy laws protect the anonymity of account holders and their transactions. [redacted]

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narcotics confiscated in West Germany is intended for other West European countries, particularly the Netherlands and Spain. Italy also has been an important distribution center for narcotics shipments, but the Italian Government's increased efforts to crack down on organized crime may discourage some drug trafficking operations. [redacted]

According to US Embassy reports, illegal drugs are arriving in the FRG increasingly by air and ship. However, overland transport via the traditional Balkan route continues to be substantial. Frankfurt International Airport is the most important transit point for air trafficking. There does not appear to be much drug smuggling by private aircraft. [redacted]

Drug trafficking in West Germany involves people of many nationalities. Although West German and US citizens predominate numerically in drug trafficking offenses, they engage primarily in street-level dealing and small-scale smuggling. [redacted]

[redacted] higher level trafficking operations are carried out mainly by people from producer regions. Turkish nationals—who constitute a large part of West Germany's "guest-worker" population—continue to control the heroin trade throughout West Germany and Berlin, but they are facing serious competition from Pakistanis, Lebanese, and Italians. Cannabis trafficking is in the hands of Turks, Italians, Gambians, and Ghanaians, while cocaine smuggling is largely the preserve of South Americans. [redacted]

Domestic Control Policies

West Germany probably has the strictest and most consistent drug policy in Western Europe. The Federal Action Program for Drug Abuse and Control of 1970—extended in 1980—outlines a national strategy for curbing narcotics demand and trafficking through improvements in the areas of law enforcement, education and prevention, treatment, and international cooperation. There is little doubt that government drug control programs have slowed the rate of increase in drug abuse and trafficking, but an accurate assessment of their effectiveness is difficult because many domestic and foreign initiatives are relatively recent and nationwide data systems for monitoring drug abuse and evaluating therapeutic programs are only now being developed. [redacted]

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The major political parties agree on the seriousness of the narcotics threat and the need to combat it, but the radical Green Party and the left wing of the Free Democratic Party have advocated legalization of all types of drugs—particularly cannabis—and adoption of a methadone maintenance program similar to the Dutch one. Many drug counselors and therapists also favor the decriminalization of drug abuse, maintaining that drug addiction is an illness requiring treatment rather than punishment. [redacted]

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New Drug Law. To aid the government's war on drugs, the Bundestag in 1981 passed an extensively revised narcotics law that included the following changes in the area of criminal prosecution:

- The maximum sentence for "especially serious" offenses—such as organized drug dealing and smuggling—was increased from 10 to 15 years.

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Table 4
West Germany: Trends in Narcotics Seizures

	Number of Cases	Narcotics Seized (<i>kilograms</i>)				
		Heroin	Morphine Base	Raw Opium	Cocaine	Cannabis
1962	852	"		12.640		5.487
1963	820		0.008	1.042	0.098	38.159
1964	992		57.455	22.250	0.016	40.164
1965	1,003		1.043	0.123		45.404
1966	1,080		0.030	8.434		134.879
1967	1,349		15.394	19.098	0.001	167.220
1968	1,891	1.825	0.001	31.882	0.016	380.924
1969	4,761	0.587	209.081	48.059	0.087	2,278.170
1970	16,104	0.494	0.596	34.771	0.040	4,331.967
1971	25,287	2.938	415.939	61.704	9.243	6,669.515
1972	25,679	3.708	163.180	47.926	1.675	6,114.356
1973	27,027	15.429	21.545	50.583	4.258	4,731.942
1974	26,909	33.005	21.141	16.242	5.407	3,913.035
1975	29,805	30.958	8.782	4.445	1.383	6,627.813
1976	35,122	167.150	10.564	15.085	2.403	5,325.938
1977	39,089	61.134	4.314	19.970	7.669	9,821.682
1978	42,878	187.304	2.652	4.502	4.288	4,723.517
1979	51,445	207.331	1.104	17.249	19.028	6,407.226
1980	62,395	267.084	4.562	9.984	22.271	3,200.224
1981	61,802	93.069	0.634	7.758	24.026	6,696.004
1982	63,002	202.309	0.143	7.045	29.184	3,155.352
1983	63,742	260.000	NA	NA	106.000	4,606.000

Source: 1982 Annual Narcotics Report, published by the Federal Criminal Police (BKA).

- The maximum sentence for "normal" offenses, such as illegal possession and small-scale trading of narcotics, was increased from three to four years. Conspiracy—that is, the provision of money or other assets for someone else's illegal narcotics activities, not punishable under the old law—was added to the list of "normal" offenses.
- Defendants who provide information about other narcotics offenders may receive a lighter or suspended sentence.

- Defendants who are addicts and whose sentence does not exceed two years can choose between serving the sentence and entering a rehabilitation program in a state-approved facility.

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Narcotics Policy Coordination

The Permanent Working Group of Narcotics Commissioners of the Federal Government and the Laender, created in 1971, discusses and coordinates policy measures for carrying out the Federal Action Program for Drug Abuse and Control. It provides for regular information exchanges between the Federal Government and the Laender and facilitates cooperation among the principal ministries involved in narcotics control—Foreign Affairs, Interior, Finance, Health, and Economic Affairs. The intensity of bilateral federal-state cooperation varies according to the seriousness of the drug problems in the Laender. Drug crime, for instance, is most serious in North Rhine-Westphalia, Bavaria, and Hesse. [redacted]

Individual members of the Permanent Working Group also participate in the Central Working Group which was established in 1978 through the Narcotics Control Agreement between West Germany and the United States. The Central Working Group's permanent subcommittees (prevention and medicine, law, military, and police and customs enforcement) implement proposals on such subjects as US-West German cooperation in combating drug-related threats to US military personnel and the organization of bilateral workshops for sharing information and experience in the fields of epidemiology and treatment. [redacted]

The Permanent Working Group of Narcotics Commissioners and the Central Working Group need to be distinguished from the Permanent Working Group—Narcotics (STAR) that coordinates the activities of the federal and state police. The STAR is the clearinghouse for the collection and evaluation of all relevant information on narcotics offenses, establishes enforcement priorities, and allows a continuing exchange of experiences among the participating services. In addition to representatives from West German federal and state law enforcement agencies, the STAR's permanent members include officials from Austria, Switzerland, France, Luxembourg, the Netherlands, and the United States. [redacted]

Administrative regulations also have become more stringent. Seventeen additional narcotic substances—and their isomers, ethers and molecular components, and salts—have been placed under control. Pharmacies must keep smaller narcotics stocks, and the maximum amount of narcotic drugs a physician can prescribe has been lowered. Most importantly, the Federal Government was given the authority to control imports and exports of narcotics, as well as shipments transiting West Germany, including free ports. [redacted]

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This latter provision in the new narcotics law has increased the West German Government's ability to support US efforts to prevent drug shipments destined for the United States. Before the new law went into effect, West German free ports—particularly the free port of Hamburg—were important transit points for shipments of methaqualone and other substances which entered the United States in tablet form via processing plants in Colombia and some other Latin American countries. Although the West German Government has been able to cut down on such trafficking, it still cannot prevent the diversion of shipments through intermediate countries that issue documents authorizing importation of specific shipments of drugs. These drugs are then reexported to the country of actual destination (for example, Colombia). However, since 1981, the Federal Opium Office has alerted US Drug Enforcement Administration (DEA) officials to all dubious drug shipments. [redacted]

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Thus far, law enforcement authorities have no effective legal means for seizing assets of drug traffickers. According to US Embassy officials, however, discussions are under way with the Minister of Justice to promulgate the necessary laws. Also, many officials involved in narcotics control have advocated the adoption of a Bank Secrecy Act—analogous to that in the United States—that would help monitor international financial flows related to drug trafficking. At present, there is no law requiring individuals or organizations to report cross-border financial transactions. [redacted]

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Enforcement. Enforcement of the federal narcotics law, which also applies to *Land* and local jurisdictions, generally is strict. The training and technical equipment of narcotics enforcement personnel is quite sophisticated, but, as in the United States and other countries, law enforcement agencies have concentrated their resources on fighting the more dangerous narcotics. According to US Embassy reports, cooperation between the police and the judiciary has been good and, as a result, acquittals of drug offenders are rare. Since the enactment of the new drug law fewer sentences with probation have been given. A West German Government study shows that in 1981 69 percent of defendants receiving a sentence of one to two years were put on probation compared with 42 percent in 1983. However, we have no information about how frequently judges impose maximum penalties on large-scale traffickers. [redacted]

On the federal level, responsibilities for drug law enforcement are divided among three agencies:

- Federal Criminal Police (BKA) under the Ministry of the Interior.
- Customs Investigative Service with 16 branch offices under the Ministry of Finance.
- Federal Border Police under the Ministry of the Interior.

On the state level, there are Criminal Police Departments for each of the 10 *Laender* and West Berlin. [redacted]

Education and Prevention. The Federal Institute for Health Education, a subsidiary agency of the Federal Health Ministry, is primarily responsible for designing health information programs, including those about drug abuse. With the help of the health ministries of the *Laender* and semiofficial and private institutions, it has developed a variety of information brochures, TV announcements and programs, films, magazines, and plays to instruct parents, educators, and young people about the drug threat. To maximize the effectiveness of these materials, their impact on target groups is evaluated periodically. [redacted]

The Institute's aim, [redacted] is not only to call attention to the health hazards of drug abuse, but also to help improve the social environment of youngsters to prevent them from seeking escape in drugs. Thus, the Institute has attempted to involve parent groups in drug education and prevention, but

Enforcement Agencies

The Federal Criminal Police (BKA) has primary jurisdiction for all international drug investigations. Since the more serious narcotics cases in West Germany generally have an international dimension, the BKA has increased the number of investigators assigned to drug enforcement from 91 in 1980 to 136 in 1983. The BKA operates a central national intelligence service on drug crime, and it is the national central office of the IKPO-Interpol. [redacted]

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The Customs Investigative Service is responsible for border areas and for interdiction at ports, airports, and crossing points between East and West Germany, and in Berlin. However, it can extend its investigations to any city or region within West Germany if a particular case requires it. The narcotics control contingent comprises approximately 200 officers. [redacted]

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The Federal Border Police only recently has become more involved in drug law enforcement. In 1980, the Federal Action Program for Drug Abuse and Control provided for an increase in the agency's resources for narcotics control. The new drug law also has given the border police the authority of customs officials to conduct random searches for narcotics. Previously, border police officials could carry out such searches only if they had specific reasons to suspect narcotics possession. [redacted]

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The narcotics divisions of the Land Criminal Police Departments differ considerably in size and effectiveness. Bavaria can dedicate more resources to narcotics control than the small Saarland, for instance. Still, during the past few years most Laender have allocated more resources to drug law enforcement. Although occasional jurisdictional disputes have arisen between federal and Land authorities, joint participation in the Permanent Working Group—Narcotics (STAR) has helped reduce conflict. [redacted]

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the "parent movement" is still much weaker than in the United States. The Institute, with varying success, also has tried to enlist the cooperation of city councils in setting up recreational facilities for young people.

The mass media also are playing a growing role in publicizing the drug threat. A West German study shows that the number of television programs about drugs has increased steadily since 1978 and that many are broadcast during prime time. However, both printed and electronic media reports have often suffered from a tendency toward sensationalism, superficiality, and lack of differentiation among types of drugs. A recent article in *Quick* magazine about cocaine, for example, emphasized the sexually stimulative effect of the drug and largely ignored the fact that cocaine abuse creates a strong psychological dependence. Television programs often describe the consequences of drug abuse as "disastrous" or "destructive" without discussing the specific physiological or psychological effects of different drugs. Also, most media reports have focused on the fates of individual drug addicts. There have been few attempts to analyze the causes of drug abuse.

Treatment. In accordance with the federal principle, the treatment and rehabilitation of drug abusers is the responsibility of the *Laender*. Drug abuse care facilities are operated by *Land* governments and private welfare and church organizations. According to West German and US officials, the Federal Government has financed various experimental treatment programs and research projects to gain greater knowledge about the psychological and social dimensions of drug abuse. It is also participating in the development of a system of nationwide therapy evaluation.

Treatment of an addict proceeds through several distinct stages:

- During the first stage, social workers and educators attempt to motivate addicts to seek help. This entails considerable work in the streets, schools, and families, since many addicts fear the rigors of therapy.

- During the next phase, drug counseling centers continue the motivation work and select the appropriate therapeutic programs for their clients. Although the number of out-patient programs has grown, long-term treatment generally takes place within the confines of a therapeutic institution.

During the detoxification process, the patient receives sedatives but not methadone. The majority of drug therapists oppose the use of methadone in detoxification programs and as a long-term treatment alternative for heroin addicts, arguing that the drug cannot cure and that it has various negative side effects. Once the patient has been detoxified, he enters the long process of psychosocial rehabilitation, involving multiple therapeutic techniques.

- During the final stage of treatment, the patient is reintegrated into society. To make it easier for the former addict to start a new life, federal laws provide for rehabilitation assistance in the form of disability payments, subsidies to employers, and vocational training. The patient's reentry into society is accompanied by long-term psychosocial care.

An assessment of the effectiveness of the treatment system is difficult because West Germany is only beginning to develop coordinated data bases on drug abusers and therapeutic facilities. West German health officials estimate that approximately 5 percent of the addict population are motivated for therapy and that, of these, 30 percent finish the long-term treatment program. However, almost half of those completing treatment suffer a relapse.

Many drug therapists believe that provisions in the new narcotics law giving addicts a choice between therapy and jail have lessened the chances for successful treatment. According to several academic studies, addicts tend to consider compulsory therapy as punishment and often exhibit aggressive attitudes toward therapists. However, some therapists disagree with their colleagues' negative view of the new narcotics law's "therapy or jail" provision. The data of one

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therapeutic institution indicate that 68 percent of the addicts referred by courts complete a therapeutic program compared with 35 percent of patients undergoing voluntary treatment. One explanation for these findings may be that addicts who have chosen therapy instead of jail know that they probably will have to serve their sentence if they interrupt their treatment. However, we have no information about how many addicts relapse after successfully completing court-ordered therapy.

To strengthen police forces in narcotics-producing and transit countries, the West German Government, according to BKA reports, has provided technical equipment and training amounting to approximately \$3.5 million. Recipient countries include Yugoslavia, Greece, Cyprus, Morocco, Pakistan, Indonesia, Thailand, and Burma. Turkey receives considerably more police assistance than these countries because it is a key transit country for drugs entering West Germany.

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International Cooperation

The Federal Action Program for the Control of Drug Abuse emphasizes the need for international cooperation to solve the narcotics problem at home and abroad. West Germany is a signatory to the UN Single Convention of 1961 and the Convention on Psychotropic Substances of 1971. It is a major contributor to the UN Fund for Drug Abuse Control (UNFDAC) and an active participant in the Pompidou Group—an affiliate of the Council of Europe—which acts as a discussion forum for international narcotics issues and as a coordinator for national drug control programs.

West Germany also has contributed money and personnel to the narcotics division of Interpol's Secretariat General, and it has cooperated closely with the United States on drug matters.

The current cocaine flood in Europe has impressed on West German Government officials and members of parliament the need for establishing closer ties with coca producers, such as Peru, Colombia, and Ecuador. A West German parliamentary delegation, which had conducted an on-the-spot investigation of the coca situation in South America, concluded that crop substitution programs would encounter numerous difficulties and that, therefore, police cooperation should be given the highest priority.

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Assistance to Producer and Transit Countries. Believing that the illegal West German drug trade has to be stopped at its source—that is, in narcotics-producing and transit countries—the West German Government has financed various narcotics control projects—both through UNFDAC and directly—in Asia, the Middle East, and South America. According to US reports, West Germany in 1982 and 1983 paid about \$10 million for rural development projects in Pakistan and Thailand to promote alternative sources of income for opium cultivators. The federal government has indicated that it wants to increase its economic aid to the major opium-producing countries in 1985. In the past, West Germany—unlike the United States—did not specifically link economic assistance to producer countries' efforts to suppress opium cultivation. However, a high-level Ministry of Interior official recently indicated to US officials that West Germany may rethink its policy in view of increases in poppy production in areas where West German aid is provided without linked narcotics enforcement.

At present the BKA has a liaison officer in Thailand, Pakistan, Cyprus, Peru, and Brazil. According to US Embassy reports, the Minister of the Interior intends to send 39 additional officers to key producer and transit countries in all geographic areas. Liaison officers facilitate narcotics information gathering, and also increase the effectiveness of "controlled deliveries."² Ministry of Interior officials favoring "controlled deliveries" have pointed out, however, that the general prosecutors of some *Laender* have voiced reservations about this practice, but that so far they have not taken any steps to abolish it.

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Cooperation With the United States. For more than a decade, West Germany and the United States have worked together to combat drug abuse and trafficking, both domestically and internationally. In the early 1970s the US Drug Enforcement Administration (DEA) came to West Germany—which prior to 1969 had no serious drug problem—to cooperate with

² In a "controlled delivery," a known narcotics courier is permitted to travel to his destination without being arrested in transit countries. The purpose of this practice is to discover the large drug trafficking organizations behind the small courier.

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high-level West German law enforcement officials on the identification and interdiction of trafficking routes into and through the Federal Republic that might affect the availability of drugs in the United States.

Matters (SADEM)—one of the principal drug prevention services in the US European Command—have met with representatives of West German parent organizations to improve parent/community cooperation on antidrug activity. Furthermore, with the help of US Information Agency (USIA) officials in Bonn, they hope to interest leading West German publications in running articles on parent group programs in the United States to show how American parents have fought against the drug problem.

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Over the years the DEA and the BKA have developed a close relationship. A DEA liaison officer at BKA headquarters in Wiesbaden facilitates the exchange of information, the sharing of data bases, and the coordination of joint operations. The BKA has been responsive to US concerns about the illegal diversion of precursor chemicals. In 1982, for example, it instituted a series of measures to obtain the voluntary cooperation of West German pharmaceutical firms in controlling shipments to Colombia of ethyl ether—a legal chemical necessary for the production of cocaine hydrochloride.

US-West German cooperation was formalized in the Narcotics Control Agreement of 1978. The agreement established the Central Working Group (CWG) whose membership consists of representatives from West German federal and state ministries, the US Embassy, DEA, and the US military forces in West Germany. It is the task of the CWG to develop overall narcotics policy and establish priorities. Permanent subcommittees, monitored by a steering committee, are charged with the implementation of proposals on such subjects as improvement of the quality of life of US military personnel in the FRG, reduction of the narcotics threat to US forces, and organization of bilateral workshops on epidemiology and treatment. In 1980, the CWG, for example, sponsored a workshop on the development of standardized indicators of drug abuse to facilitate intracountry and cross-national comparisons.

To help reduce drug abuse among the 280,000 military and civilian US forces personnel in West Germany, the CWG has promoted cooperation between leaders of US military communities and state and local governments as well as private agencies—particularly in Baden-Wuerttemberg, Bavaria, Hesse, and Rheinland-Pfalz where US forces are concentrated. Cooperation has involved exchange of data on drug abuse trends, education and prevention, and treatment modalities. Also, members of the US Embassy and the Special Assistant for Drug Enforcement

The Public's View

Public opinion polls indicate that West Germans are very concerned about drug abuse and trafficking. A 1981 poll, for instance, showed that respondents considered drug abuse much more serious than alcoholism. A poll taken earlier this year, moreover, indicated that a majority of respondents believed the drug threat had increased. Popular perceptions of drug abuse and government measures to control it of course varied according to the age, educational background, and political outlook of respondents.

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Attitudes Toward Drug Abuse . . . Respondents tended to distinguish between so-called hard drugs, which they believed pose a serious health risk, and soft drugs, which they considered to be more benign. Moreover, opinions were divided over whether narcotics abuse is a crime or an illness, whether it requires mild or harsh punishment, and whether it calls for voluntary or compulsory treatment:

- Forty-six percent of respondents in a 1984 Allensbach survey believed that abuse of hashish or marijuana constituted a serious health hazard compared to 60 percent for cocaine and 81 percent for heroin and morphine. Younger, more educated respondents and Free Democratic and Greens voters held a more benign view of cannabis, but they tended to consider cocaine and heroin abuse more risky than the national average.

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- Thirty-five percent of respondents thought that hashish/marijuana abuse is a crime, but 15 percent suggested that it should be punished mildly while 22 percent maintained that it deserves harsh punishment. Thirty-five percent considered cannabis abuse a sickness, with 20 percent opting for compulsory treatment and 15 percent for voluntary therapy. Fourteen percent of respondents thought that cannabis use is a personal decision with which government should not interfere.
- Regarding cocaine and heroin/morphine abuse, more respondents believed that it is a sickness (43 percent and 46 percent) rather than a crime (31 percent and 32 percent). Of those who maintained that cocaine abuse is a crime, 26 percent proposed harsh punishment compared with 29 percent for heroin abuse. Of those who considered abuse of these "hard drugs" a sickness, more than half opted for compulsory treatment. Considerably fewer respondents believed that abuse of "hard drugs" is an individual's personal decision than is the case with cannabis. Highly educated respondents and Free Democratic and Greens voters had a greater tendency to favor milder punishment than those with less schooling or a more conservative political outlook.

... **And Control Measures.** Public support for additional and stricter government measures to reduce narcotics demand and supply is high. Respondents in the Allensbach survey tended to favor more effective legislation for seizure of drug trafficking assets even at the risk of violating individual rights. Regarding government actions toward narcotics-producing and transit countries, respondents preferred economic measures to diplomatic ones. For four out of five West Germans, moreover, a political party's position on narcotics had at least some impact on their vote choice:

- Almost three-fourths of respondents believed that the government should do more to control drug abuse while only 12 percent thought that current measures are adequate. Highly educated respondents and Free Democratic and Greens voters were slightly less supportive of additional control efforts than the national average.

- Close to half of those queried thought that the government should place equal emphasis on control of drug consumption and trafficking. Thirty-six percent wanted the government to concentrate on trafficking while 6 percent preferred greater stress on abuse.
- A majority of respondents (55 percent) supported more effective legal means for asset seizures and long jail sentences. Forty-eight percent believed that the benefits for narcotics control derived from asset seizure legislation are worth possible violations of individual rights. The attitudes of younger people and more left-leaning voters toward asset seizure legislation were slightly less favorable than those of older and more conservative ones. However, the level of education of respondents had no impact on the strength of support for such legislation.
- Twenty-six percent of the respondents favored economic sanctions against narcotics-producing and transit countries while 14 percent believed that economic assistance is more appropriate. Sixteen percent advocated diplomatic protests and 8 percent favored discontinuation of diplomatic relations. Highly educated and politically left-leaning respondents were more inclined to emphasize economic assistance or diplomatic protests than the national average.

- Forty-four percent of respondents said that they would rather vote for a political party that considers abuse of all drugs illegal, while 20 percent maintained that a party's position on drugs would have no influence on their voter choice. Eighteen percent would favor a political party advocating criminalization of only "hard drugs" and 3 percent would be more attracted to a party supporting legalization of all drugs. Highly educated and politically left-leaning respondents had a greater tendency to prefer political parties that either want to criminalize only "hard drugs" or support the legalization of all narcotics.

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Outlook

West Germany probably will continue to escalate its war against illegal drugs by increasing even further its efforts in the areas of law enforcement, international cooperation, and prevention and treatment. According to US Embassy reports, a long-range position paper prepared for the Minister of the Interior recommends the following domestic measures:

- Creation of additional positions for narcotics investigators in the BKA.
- Establishment of more joint task forces of police and customs officers.
- Deportation of foreign drug traffickers upon conviction and sentencing.
- Development of more effective legal mechanisms to improve the ability of the police to seize assets of drug traffickers.

The Federal Government probably will face little opposition to its domestic narcotics control program because the Social Democrats also favor stricter enforcement. Most *Laender* governments generally also will continue to allocate substantial resources to narcotics control, but tight budgets and competing spending priorities may cause some of them to play down the seriousness of the narcotics threat. Also, the growing strength of the Green Party at state and municipal levels might result in increasing pressure for looser enforcement of cannabis offenses.

Despite strong political and popular support for harsher punishment of drug traffickers, the Minister of the Interior may face difficulties in attaining assets seizure legislation. The Free Democratic Party's desire to refurbish its liberal, independent image and improve its survival prospects might lead it to challenge its Christian Democratic coalition partners on the assets seizure issue. West German officials have indicated that Justice Minister Hans Engelhardt—a Free Democrat—has hesitated to propose special legislation, arguing that existing laws are sufficient for effective narcotics control. There is a possibility that Engelhardt may be replaced by Gerhard Baum who holds an even more liberal view of the proper role of the government in the private sector. The SPD and the Greens also may use the assets seizure issue to support their charges of government insensitivity to civil liberties. We believe, however, that opposition from center and leftist parties will not prevent assets

seizure laws over the longer term—particularly if the Christian Democrats remain in power and if pressure in international narcotics control forums to adopt such legislation increases.

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In the area of international cooperation, West Germany will place greater emphasis on West European cooperation. According to DEA officials, the BKA has come to believe that narcotics abuse and trafficking has to be attacked jointly by all West European nations. The Minister of the Interior, therefore, plans to assign liaison officers to the United Kingdom, France, Italy, Spain, Belgium, the Netherlands, and Scandinavia. He also intends to propose to his EC counterparts joint programs for equipment and training assistance to producer and transit countries in close cooperation with the United States and UNFDAC. To set a good example, the Federal Government plans to develop further its own contacts with police officials in key producer and transit countries and raise its bilateral assistance for police equipment and training from DM 1 million to DM 3 million by 1986. The Minister of the Interior has indicated that he will also press for increases in the West German contribution to UNFDAC.

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In international forums such as the Pompidou Group, West German officials probably will keep up their efforts to persuade member countries with relatively liberal views on drugs, such as the Netherlands and Spain, to adopt stricter narcotics policies. According to US Embassy reports, the Netherlands is showing some response to international pressure. The Dutch Justice Minister has stated that he expects increases in police resources over the coming years. West Germany will urge West European countries not only to cooperate in narcotics enforcement, but also to work for greater coordination of national narcotics legislation and research on drug abuse and treatment.

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West Germany will also seek greater cooperation with Eastern Europe, particularly the German Democratic Republic (GDR). The West German Government has informed US officials that its permanent representation in East Berlin intends to raise with the GDR the issue of cooperation in reducing the flow of heroin into West Berlin and the FRG through the East German Schoenefeld Airport. The permanent representation will propose to the GDR that it refuse transit visas to persons without visas for their final destination and that West German and East German police forces exchange information on trafficking routes and couriers. West German officials do not expect an enthusiastic response from the GDR, but they hope that discussions may lead to limited cooperation [redacted]

The BKA probably will continue to support US efforts to achieve greater control of legal precursor chemicals. According to DEA officials, the BKA has been successful in persuading pharmaceutical firms voluntarily to control ethyl ether and acetic anhydrite used in the manufacture of cocaine and heroin. DEA officials hope that cooperation between the BKA and pharmaceutical companies will be even more extensive in the future. [redacted]

In order to reduce the demand for narcotics, the West German Government will emphasize more research on drug abuse and experimentation in prevention and treatment methods. In cooperation with the *Laender*, it will also continue to work for the development of coordinated data bases on drug abuse and a national evaluation system of drug facilities. US-West German cooperation in the Central Working Group will aid these efforts through exchange of information and experiences. [redacted]

The new narcotics law's "jail or therapy" provision is likely to remain a thorn in the side of many drug counselors and therapists. They will continue to argue that government should not interfere in an addict's decision to seek treatment. The pressure on government to change this aspect of the law probably will mount if future evaluations of therapy institutions indicate that court-ordered treatments are less successful than those undertaken voluntarily. In the meantime, many therapists probably will attempt to sabotage the law's intent by neglecting their obligation to inform judicial authorities promptly when patients have interrupted court-ordered treatment.

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